



**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

First Named Inventor:	Rinchuso et al.	Group Art Unit:	2661
Application Number:	09/760,039	Examiner:	Unknown
Filed:	January 12, 2001		
Title:	PACKET TRANSMISSION WITHIN A BROAD-BAND COMMUNICATION SYSTEM		

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

**Note:** If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**NOTE:** A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☐ Small entity – fee \$ \_\_\_\_\_ (37 CFR 1.17(I)). Applicant claims small entity status. See 37 CFR 1.27.

<input checked="" type="checkbox"/>	Other than small entity – fee \$	1,240.00
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2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of  
Missing Parts (identify type of reply)

☐ has been filed previously on \_\_\_\_\_

☒ is enclosed herewith

B. The issue fee of \$

☐ has been paid previously on \_\_\_\_\_.

☐ is enclosed herewith.

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01 FC:141 1240.00 CH

3. Terminal Disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ For a small entity or \$ \_\_\_\_\_ For other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63)

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.1379b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]

5. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 13-4772

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

September 18, 2001

Date



Signature

847-576-6937

Telephone Number

Kenneth A. Haas

Typed or printed name

Motorola Inc.

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22917

Customer Number

Enclosures:



Fee Payment



Missing Parts



Terminal Disclaimer Form



Additional sheets containing statements establishing unintentional delay

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first-class Mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231
- ☐ Transmitted by facsimile on the data shown below to the United States Patent and Trademark office at (703) 308-6916.
- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231: Express Mail Label No. \_\_\_\_\_

September 18, 2001

Date



Signature

Tanya Scheuer

Typed or printed name of person signing certificate

PTO/SB/21 (08-00)



# TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (To be used for all correspondence after initial filing)	Application Number	09/760,039
	Filing Date	January 12, 2001
	First Named Inventor	Rinchiuso et al.
	Group Art Unit	2661
	Examiner Name	Unknown
Total Number of Pages in this Submission	Attorney Docket Number	CE08395R

## ENCLOSURES

(check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input type="checkbox"/> Other Enclosure(s) (please identify below) <input type="checkbox"/> Response to Restriction Requirement <input type="checkbox"/> Associate Power of Attorney <input type="checkbox"/> RCE <input checked="" type="checkbox"/> Petition for Revival of Abandoned Unintentionally Under 37CFR1.137(b) <input checked="" type="checkbox"/> Executed Declaration
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Kenneth A. Haas	Registration No.	42,614
Signature			
Date	September 18, 2001		

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon, as first-class mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on the date listed below:

Typed or printed name	Tanya Scheuer		
Signature		Date	September 18, 2001

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